

1 AMENDMENT TO SENATE BILL 893

2 AMENDMENT NO. _____. Amend Senate Bill 893, AS AMENDED,
3 in subsection (j) of Sec. 3-6 of Section 10, by replacing "at
4 any time ~~within--10-years-after-the-child-victim-attains-18~~
5 ~~years-of-age~~" with "within 20 10 years after the child victim
6 attains 18 years of age"; and

7 by replacing all of Sec. 8-803 of Section 15 with the
8 following:

9 "(735 ILCS 5/8-803) (from Ch. 110, par. 8-803)

10 Sec. 8-803. Member of the clergy.

11 (a) A member of the clergy ~~clergyman-or-practitioner-of~~
12 ~~any-religious-denomination-accredited-by-the--religious--body~~
13 ~~to--which--he--or--she--belongs,~~ shall not be compelled to
14 disclose in any court, or to any administrative board or
15 agency, or to any public officer, a confession, or admission,
16 or communication made to him or her in his or her
17 professional character or as a spiritual advisor in the
18 course of the discipline enjoined by the rules or practices
19 of such religious body or of the religion which he or she
20 professes, nor be compelled to divulge any information which
21 has been obtained by him or her in such professional
22 character or as such spiritual advisor if:

1 (1) the confession, admission, or communication is
2 intended to be confidential;

3 (2) the confidential confession, admission, or
4 communication is made directly to a member of the clergy;
5 and

6 (3) the confidential confession, admission, or
7 communication is such that the member of the clergy is
8 bound to maintain that confidentiality pursuant to a duty
9 under the canon law, church doctrine, practice,
10 discipline, tenet, custom, or practice of his or her
11 denomination.

12 (b) If a confession, admission, or communication made to
13 a member of the clergy does not meet the requirements of
14 subsection (a), in an investigation or prosecution of a case
15 involving an abused child as defined in subdivision (c) of
16 Section 3 of the Abused and Neglected Child Reporting Act, a
17 member of the clergy must disclose a confession, admission,
18 or communication made to him or her about the alleged abuse.

19 (c) "Member of the clergy" means a clergyman or
20 practitioner of any religious denomination accredited by the
21 religious body to which he or she belongs.

22 (Source: P.A. 82-280.)"; and

23 by replacing all of Sec. 13-202.2 of Section 15 with the
24 following:

25 "(735 ILCS 5/13-202.2) (from Ch. 110, par. 13-202.2)
26 Sec. 13-202.2. Childhood sexual abuse.

27 (a) In this Section:

28 "Childhood sexual abuse" means an act of sexual abuse
29 that occurs when the person abused is under 18 years of age.

30 "Sexual abuse" includes but is not limited to sexual
31 conduct and sexual penetration as defined in Section 12-12 of
32 the Criminal Code of 1961.

33 (b) An action for damages for personal injury based on

1 childhood sexual abuse must be commenced within 20 2 years of
2 the date the person abused discovers or through the use of
3 reasonable diligence should discover that the act of
4 childhood sexual abuse occurred and that the injury was
5 caused by the childhood sexual abuse.

6 (c) If the injury is caused by 2 or more acts of
7 childhood sexual abuse that are part of a continuing series
8 of acts of childhood sexual abuse by the same abuser, then
9 the discovery period under subsection (b) shall be computed
10 from the date the person abused discovers or through the use
11 of reasonable diligence should discover (i) that the last act
12 of childhood sexual abuse in the continuing series occurred
13 and (ii) that the injury was caused by any act of childhood
14 sexual abuse in the continuing series.

15 (d) The limitation periods under subsection (b) do not
16 begin to run before the person abused attains the age of 18
17 years; and, if at the time the person abused attains the age
18 of 18 years he or she is under other legal disability, the
19 limitation periods under subsection (b) do not begin to run
20 until the removal of the disability.

21 (e) This Section applies to actions pending on the
22 effective date of this amendatory Act of 1990 as well as to
23 actions commenced on or after that date. The changes made by
24 this amendatory Act of 1993 shall apply only to actions
25 commenced on or after the effective date of this amendatory
26 Act of 1993. The changes made by this amendatory Act of the
27 93rd General Assembly shall apply only to actions commenced
28 on or after the effective date of this amendatory Act of the
29 93rd General Assembly.

30 (Source: P.A. 88-127.)".